

AB 2316 Timely Release from Mental Health Commitment

Sponsor: California Psychological Association

BACKGROUND

Current law provides that a person who, as a result of mental disorder, is a danger to themselves or others, or gravely disabled, defined as being unable to provide food, clothing or shelter for themselves, that person can be involuntarily committed to evaluation and treatment for a limited period of time. If a patient improves during that time and no longer meets the criteria for involuntary commitment, only a psychiatrist can authorize early release of the patient.

Current law allows a psychologist to admit, diagnose, treat and discharge a patient in a hospital. Psychologist also can admit a patient into involuntary commitment and can release that patient at the expiration of that commitment. Only a psychiatrist can currently authorize the early release of a committed patient.

As a result of the shortage of psychiatrists, patients are unnecessarily committed beyond the necessary period of treatment. These delays are a violation of the patient's rights and a deterrent for patients to voluntarily seek treatment in the future.

Psychologist must have a Ph.D. in human behavior, practice two to three years under supervision, and pass a state and national examination in order to become licensed. In order to be privileged to release a patient, the independent medical staff of a hospital must review the education and training of the psychologist and the psychologist must practice under direct supervision for an extensive period of time before being authorized for full release privileges.

SPECIFIC PROVISIONS OF AB 2316

AB 2316 would allow the psychologists described above to release a patient early from involuntary commitments.

If you support this legislation please send letters to:

Assembly Member Judy Chu
State Capitol, Room 5126
Sacramento, CA 95814

For more information, please contact Bill Wong at william.wong@asm.ca.gov.